

*"The Board is in the business
of consumer protection,
education &
communication."*

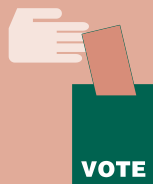
BBS News

CALIFORNIA BOARD OF BEHAVIORAL SCIENCES
Fall 2002 - Issue No. 10

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Remember to Vote!



November 5, 2002 is the
Gubernatorial General
Election - Remember to Vote!
Your Vote is important. For
your polling place location
visit the Secretary of State's
Website at [http://
www.ss.ca.gov/elections/
elections_ppl.htm](http://www.ss.ca.gov/elections/elections_ppl.htm), or call
1-800-345-VOTE.

Budget Impacts BBS Funds, Staffing and Services

As you are probably all aware by now, the State of California is facing difficult economic times and is struggling to balance the budget as a result of revenue shortfalls. This will result in budget cuts that negatively impact departments throughout the entire State. The Board of Behavioral Sciences (Board) will be impacted in several ways, some of which are identified below.

General Fund Loan: The State Legislature secured a loan to the General Fund from various Special Funds. The Board's fund is considered a "special fund"; therefore, the Legislature secured a loan from the Board in the amount of \$6 million. The Budget Bill Language associated with the General Fund loans reads as follows:

"The transfer made by this item is a loan to the General Fund. This loan to the General Fund shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer. It is the intent of the Legislature that repayment be made so as to ensure that the programs supported by the fund are not adversely affected by the loan through reduction in service or through increased fees."

Vacancy Cuts: 7,000 state positions are being abolished by the year 2004. As part of this reduction, the Board was required to submit a list of its staffing vacancies. The Board identified 4 vacancies, which are subject to elimination. The elimination of these vacancies would result in an 8% reduction in budget and staff.

Potential Reduction in Services: A 20% reduction plan for General Fund Departments for the 2003-04 budget year has been requested by the Department of Finance. The Director of the Department Consumer Affairs has encouraged all boards to explore, review and evaluate their programs for efficiency opportunities. In addition, we are to consider preliminarily developing cost reduction measures in our programs, even though we are not part of the General Fund.

All of these developments could potentially result in a reduction in services at the Board of Behavioral Sciences.

Approved Legislation

The following legislation will become effective January 1, 2003.

Assembly Bill 255 – This legislation further clarifies individuals and entities that are mandated to report elder abuse and extends the entities that are authorized to receive reports of elder abuse. Also, this legislation includes additional conduct that is required to be reported, redefines “multidisciplinary personnel team” and “neglect”, and defines “imminent danger”.

Senate Bill 2019 – This legislation authorizes the Board to issue a citation and fine against a licensee who is in default of any United States Department of Health and Human Services education loan, including a Health Education Assistance Loan, and allows the Board to deny a licensure application or renewal of a license to those who are in default of the above referenced loans, until the default is cleared or until the applicant or licensee has made satisfactory arrangements.

Senate Bill 2026 - (Committee on Business and Professions) - This legislation makes several amendments and additions to the statutes that relate to marriage and family therapists. Primarily, it changes the license title from Marriage, Family, and Child Counselor to Marriage and Family Therapist throughout the laws that relate to the practice. Additionally, this legislation allows an applicant for registration as a marriage and family therapist intern who obtained their degree out of country to have their transcripts evaluated by evaluation services that are members of the National Association of Credential Evaluation Services.

The following legislation will become effective January 1, 2004 and January 1, 2005.

Senate Bill 564 – This legislation specifies that persons who begin graduate studies on and after January 1, 2004 must complete 15 hours of coursework in domestic violence for licensure as a marriage and family therapist or a licensed clinical social worker and requires, effective January 1, 2004, that licensees who began graduate studies prior to



January 1, 2004 complete a one time continuing education course in domestic violence taken during the first license renewal period after the operative date of the bill. The Board may accept evidence of completion of an equivalent course taken prior to the operative date of the legislation or may accept prior teaching or practice experience in order to fulfill the continuing education requirement. In addition, the course can count toward the required 36 hours of continuing education so long as it is taken through an approved provider. Information on how the Board will implement this requirement can be found in the article on page 7 - “*Changes to the Spousal or Partner Abuse Requirements*”.

Senate Bill 953 - This legislation adopts Business and Professions Code Sections 4980.39, 4980.395, 4996.25 and 4996.26 to specify that persons who begin graduate studies on and after January 1, 2004 must complete a minimum of 10 hours of coursework in aging and long term care for licensure as a marriage and family therapist or a licensed clinical social worker. Also effective January 1, 2005, licensees renewing their license for the first time and who began graduate studies prior to January 1, 2004 will be required to complete a 3 hour continuing education course in aging and long term care. The Board may accept evidence of completion of an equivalent course taken prior to the operative date of the legislation or may accept prior teaching or practice experience in order to fulfill the continuing education requirement.

Regulation Update

PENDING REGULATIONS

Definitions – This proposal will amend Section 1887 of Article 8, Division 18 of Title 16, of the California Code of Regulations to allow licensees the convenience of obtaining all 36 hours of required continuing education through interactive, electronic means and will allow continuing education providers the opportunity to offer all trainings from another location by way of audiovisual means. The Notice, Proposed Language, and Initial Statement of Reasons are available on the Board’s website in an adobe acrobat format.

APPROVED REGULATIONS

Use of License Number in Directories and Advertisements: This regulation became effective October 12, 2002 and amends Section 1811 of Article 1, Division 18 of the California Code of Regulations to further clarify the advertising requirements of Associate Clinical Social Workers and deletes obsolete language regarding advertising of professional corporations.

The Mission of the Board is to protect the consumer by establishing and maintaining standards for competent and ethical behavior by the professionals under its jurisdiction.

Board Meeting Calendar



November 14-15, 2002
(Ontario, CA)
(Country Suites by Ayres)

February 20-21, 2003
(San Diego)

April 24-25, 2003
(Sacramento)

July 24-25, 2003
(Los Angeles Area)

November 13-14, 2003
(Bay Area)

Attendance at Board meetings is encouraged and welcomed! Meetings are open to the public unless otherwise noted. Dates and locations are tentative and subject to change. Check our website at www.bbs.ca.gov for any date changes. Board and Committee Minutes are also available on our website.

New Board Members

Catherine Kay was appointed by Governor Gray Davis as a public member in May, 2002. Ms. Kay is an attorney with 20 years of experience in the field of health care. She has spent most of her career focusing on health care law, representing hospitals, managed care organizations, doctors and other providers. Ms. Kay was a partner in the law firm of Manatt, Phelps & Phillips from 1987 to 1996. In 1996, she became Chief Counsel for L.A. Care Health Plan, and in 1998, she began her private practice, where she continues to deal with health care issues. Ms. Kay is a member and past President of California Society for Healthcare Attorneys, and is a past Chair and emeritus member of the Executive Committee of the Health Care Law Section of the Los Angeles County Bar Association. She earned a Bachelor of Arts degree from the University of California, San Diego, (Revelle College) and a juris doctorate degree from the University of Southern California.

Peter Manoleas was appointed by Governor Gray Davis as a LCSW member in June, 2002. Mr. Manoleas is a lecturer/field consultant for the University of California, Berkeley, School of Social Welfare and has had a part-time psychotherapy practice in Oakland since 1983. Mr. Manoleas is a member of the Board of Directors of La Clinica de la Raza in Oakland. He is also a member of the National Association of Social Workers, where he serves on the Steering Committee of the Alcohol, Tobacco and other drugs section. He has published and consulted extensively, including most recently to the California Endowment. He earned a bachelor of science degree from Wayne State University, and a master of social work degree from the University of Michigan.

Jane Nathanson was appointed by Governor Gray Davis as a MFT member in May, 2002. Ms. Nathanson is a Licensed Marriage and Family Therapist and has been in private practice since January 2002. From 1993 to 2001, she served as a counselor for the California Graduate Institute Counseling Center. Ms. Nathanson serves on the Board of Trustees of the American Foundation for AIDS Research, Board of Trustees at UCLA Medical Center and is also a Trustee and former Vice Chairman of the Museum of Contemporary Art in Los Angeles. She earned a bachelor of fine arts degree from the University of Denver, and a master of arts degree from the California Graduate Institute.

Licensees Needed!

The Board of Behavioral Sciences is recruiting licensees to serve as Oral Examiners and to participate in written and oral examination development workshops. Several policy changes have taken place that we would like to bring to your attention:

- The Board is now offering oral examiners continuing education units in addition to the honorarium.
- Two years of post-licensure experience is now required to become an oral examiner.
- There is no minimum hourly practice requirement per week for LEPs in order to participate in examination development workshops.

Oral Examiners

Licensees are encouraged to serve as examiners for the LCSW and MFT oral examinations. An oral examination for licensure could not exist without qualified licensees willing to perform this important task. Oral examinations are administered three times per year at various sites, typically in the Walnut Creek and LAX area. Honorarium for serving as an oral examiner is \$135 per day plus continuing education units. Travel costs cannot be reimbursed; however, overnight accommodations are provided to examiners who live 50 miles or more from the examination site.

To qualify to serve as an Oral Examiner, a licensee MUST:

1. As an MFT: Possess a degree title named in Section 4980.40(a) of the Business and Professions Code; As an LCSW: Possess a degree from an accredited school of social work;
2. Have a minimum of two years post licensure experience;
3. Possess a license which is current and not under suspension or probation;
4. Perform a minimum of twenty hours of training, supervision, education or clinical experience with a minimum of ten hours direct psychotherapy hours per week (clinical supervision may be counted toward this 10 hour requirement providing direct client contact is involved);
5. Interview with a lead oral examiner upon approval of the application;
6. Have the ability to rate candidates in a fair, accurate, and objective manner; and,
7. Agree to not participate at any time in any examination coaching or preparation activities as stated in the agreement signed with the Board upon appointment as an oral examiner.

The following qualifications are DESIRABLE:

- Recent independent practice experience,
- Able to work a minimum of two days per examination cycle,
- Able to serve as an oral examiner for two years.



Examination Development Workshops

LCSWs, LEPs, and MFTs are encouraged to serve as “subject matter experts” to participate in examination development workshops. The workshops are scheduled throughout the year in Sacramento. Types of workshops include written examination item writing and review, written examination passing score setting, oral examination vignette writing, and oral examination development. Special knowledge is not required and training is provided.

The fee paid to subject matter experts varies depending on the length and complexity of the workshop. Workshops last from one to four days, and are normally conducted from 8:00 a.m. to 5:00 p.m. each day. All participants are reimbursed for travel expenses, and hotel and airfare are typically prepaid by the Board.

To qualify to serve as a Subject Matter Expert, a licensee MUST:

1. MFTs and LCSWs – same as requirements 1, 3, 4, and 7 for oral examiners in addition to independent practice experience.
2. For LEPs: There is no specific degree requirement. Must be currently practicing as an LEP outside of work as a school psychologist. Consultation will count toward this requirement.

If you meet the qualifications above and are interested in serving as an Oral Examiner or as a Subject Matter Expert you may obtain an application for these positions on the Board’s website under “Forms and Publications” and at www.bbs.ca.gov/pdf/exmrapp.PDF. For more information about Oral Examiners please contact Cynthia McDaniel at (916) 445-4933 extension 1009. For more information about Subject Matter Experts please contact Sandra Wright at (916) 445-4933 extension 1242.

Occupational Analysis Update

The occupational analysis of **Marriage and Family Therapists** is nearing completion! The Board expects to implement a revised written examination outline in July 2003, and changes to the oral examination are also expected in mid-2003. As more information becomes available it will be announced on the Board's website and will be provided in study handbooks mailed to candidates.

An occupational analysis of **Licensed Educational Psychologists** will begin in October 2002. LEPs will be interviewed to obtain information regarding practice during October and November 2002. Workshops are scheduled during November and December, and occupational analysis questionnaires will be mailed to licensees throughout California during February 2003. Recruitment flyers and applications for participation in this process are being mailed to licensees.

An occupational analysis of **Licensed Clinical Social Workers** will begin in 2003. Additional information will be announced on the Board's website as it becomes available.

Please contact Sandra Wright at (916) 445-4933 extension 1242 or Christy Berger at extension 1026 if you have any questions or would like more information.

What is an occupational analysis?

An occupational analysis is a method for identifying the tasks performed in a profession or on a job and the knowledge, skills, and abilities required to perform that job. The Department of Consumer Affairs' Examination Validation Policy requires an occupational analysis be performed every 3 to 7 years. The occupational analysis begins with interviews of licensees to gather information about the tasks performed in practice and the knowledge required to perform those tasks. That information is reviewed and refined during workshops with licensees, then incorporated into a questionnaire. The questionnaire asks licensees to rate the importance of (for example) each task and knowledge area associated with their own practice.

What happens after an occupational analysis is completed?

The results of an occupational analysis form the basis of a licensing examination, demonstrating job-relatedness. An occupational analysis can identify changes needed to the examination program. Types of changes may include new content areas, new questions, or different weights for content areas. For LCSW and MFT, the occupational analysis results also provide information that can assist with evaluating the need for an oral examination requirement. Candidates will be provided with ample notice of any changes to be implemented.

Clinical Vignettes in the LCSW & MFT Written Examination



Board discussions about the requirement of an oral examination for LCSWs and MFTs as a condition for licensure have led to the consideration of possible future alternatives for testing the necessary knowledge and skills in a written format.

At the April 2002 Board meeting, the Office of Examination Resources and Board staff made a presentation about the oral examination process and the possibility of using clinical vignette items to test the necessary knowledge and skills currently tested in the oral examinations. These clinical vignette items were implemented in the current Marriage and Family Therapist written examination in July 2002.

The main difference between a clinical vignette item and a standard multiple-choice item found on the written examination is that the possible answers are longer and more complex, listing a sequence of actions or describing a process of applying knowledge. The other difference is that a candidate is presented with a series of questions based on the same vignette.

Currently, the MFT written examination includes three clinical vignettes with five multiple-choice items per vignette, for a total of 15 items. Examination development workshops involving MFT testing of response time for the examination indicated a need to reduce the total number of items by 10 to accommodate the clinical vignette format. The examination now totals 190 items rather than the previous

200 items. Candidates are advised to answer all items on the examination, as the clinical vignette items may or may not be counted toward the candidate's score.

The Office of Examination Resources will provide statistical information about item performance at the November 2002 Board meeting.

The Board expects to include clinical vignette items in the LCSW written examination beginning in Spring 2003.

The oral examination continues to be a requirement for licensure. It is evaluated after each administration, and statistical findings indicate that it is psychometrically sound, legally defensible, and valid.

Frequency of Oral Exam Dates

The examination calendar below reflects additional oral examination dates that the Board has added. Dates listed as “tentative” are overflow dates and should be planned as potential scheduling dates. Oral examination dates may be changed, canceled or added, as needed depending on the availability of oral examiners. Any date changes will be announced on the Board’s telephone system and on its website at www.bbs.ca.gov. The Board does not accept requests for specific dates other than for religious reasons or medical needs. Requests for special accommodations must be received by the final filing date. In addition, examination fees are not refundable or transferable to another examination cycle once scheduling has occurred. Initial scheduling occurs two weeks after the final filing dates.

2002 Board Members

Name	Term Expires	Position
Burdick, Mark, <i>Vice-Chair</i>	6/1/04	LEP
Kay, Catherine	6/1/05	Public
Manoleas, Peter	6/1/06	LCSW
Morrow, Glynis	6/1/05	Public
Nathanson, Jane	6/1/05	MFT
Pines, Karen, <i>Chair</i>	6/1/06	MFT
Quiroz, Roberto	6/1/03	Public
Stein, Howard	6/1/03	Public
Ulevitch, Susan	6/1/05	LCSW
Vacant	6/1/06	Public
Vacant	6/1/03	Public

Examination Calendar

	Exam Dates	Exam Cycle	Final Filing Date
MFT Written	Continuous Testing		Allow up to 90 days for processing new applications
MFT Oral *	October 18-20, November 1-2, 2002	Fall, 2002	July 22, 2002
	February 7-9, and 14-16, 2003 <i>February 21-23, 2003 (tentative)</i>	Winter, 2003	October 25, 2002
	<i>June 6-8, 2003 (tentative)</i> June 13-15, and 20-22, 2003	Summer, 2003	February 28, 2003
	<i>October 10-12, 2003 (tentative)</i> October 17-19, and 24-26, 2003	Fall, 2003	July 7, 2003
LCSW Written	Continuous Testing		Allow up to 90 days for processing new applications
LCSW Oral *	November 2-3, 2002	Fall, 2002	August 5, 2002
	February 28, March 1-2, 2003	Winter, 2003	November 15, 2002
	June 27-29, 2003	Summer, 2003	March 14, 2003
	October 31, November 1-2, 2003	Fall, 2003	July 18, 2003

* Dates are tentative, contingent upon the availability of oral examiners, and may be canceled or added as needed.

Registered Interns, Associates and applicants who have completed the required amount of supervised experience or who are in the examination process must continue to receive one hour of individual or two hours of group supervision per week until licensed (B&P Code section 4980.43(b), 4996.20(b), 4996.21(b)(3) and 4996.23(h).

Special Accommodations

In compliance with the Americans with Disabilities Act (ADA), the Board will provide “reasonable accommodations” to applicants with disabilities as defined under the ADA. Since there has been an increase in the number of requests for special accommodations, the following information is being provided to assist those with questions about this process.

The Board provides special testing arrangements for applicants who can substantiate the need for reasonable accommodation at the time of submission of their application or by the final filing date for examinations with final filing dates. The request form must be submitted with the examination application or **at least 90 days prior to taking the examination**. Upon receipt of the required information, the request will be considered and the applicant will be notified in writing of the Board’s decision. Accommodations will not be provided at the examination site unless prior approval by the Board has been granted.

Disabled Applicants - Reasonable, appropriate and effective accommodations may be requested by examination candidates with disabilities. Examination sites are physically accessible to individuals with disabilities.

Non-Saturday/Sunday Examinations due to Religious Convictions - Non-Saturday or Sunday examinations may be arranged for candidates who provide a letter from a religious advisor confirming the candidate’s religious convictions prevent them from taking the examination on a Saturday, Sunday or religious holiday.

English is Applicant’s Second Language - Applicants who immigrated to the United States less than ten years prior to the date of submission of their application for licensure and English is not the applicant’s primary language, may qualify for time and a half (50% extra time) to complete the examination. To qualify for additional time, the applicant must provide the Board with:

1. A letter stating that English is not the primary language, and that immigration took place less than ten years prior to the date of submission of their application for licensure, and the BBS file number or social security number; AND
2. Proof of the the immigration date to the United States consisting of either a copy of immigration papers, alien card, or passport.

Candidates wishing to submit a request for accommodation may download the “Request for Accommodation of Disabilities” package from the Board’s website or you may contact the Board office to have one mailed to you.

Changes to the Spousal or Partner Abuse Requirements

Senate Bill 564, which becomes effective January 1, 2004, amends Business and Professions Code Sections 4980.41 and 4996.2 and adds Sections 4980.57 and 4996.22 to specify that persons who begin graduate studies on and after January 1, 2004 must complete 15 hours of coursework in domestic violence for licensure as a MFT or LCSW and requires, effective January 1, 2004, that licensees who began graduate studies prior to January 1, 2004, complete a one time continuing education course in domestic violence taken during the first license renewal period after the operative date of the bill.

The Board may accept evidence of completion of an equivalent course taken prior to the operative date of the legislation or may accept prior teaching or practice experience in order to fulfill the continuing education requirement. The Board will implement these requirements as follows:

Applicants who begin graduate training on or after January 1, 2004, will fulfill the requirement as they currently do, by submitting an official transcript indicating at least 15 hours of coursework. The BBS will obtain confirmation from each school regarding the course or courses that include spousal or partner abuse assessment, detection, and intervention strategies, including community resources, cultural factors, and same gender abuse dynamics.

Licensees who were not required to obtain coursework or training in this area as a condition for licensure, will be required to complete a one-time CE course in this subject matter. The Board will accept equivalent courses, teaching or practice experience completed prior to the operative date of the legislation. Also, this requirement will be counted as part of the 36-hour CE requirement for renewal as long as it is taken through an approved provider. At the time of renewal, licensees will be required to self certify completion of this requirement on their renewal form. If audited, the licensee will be required to provide proof of completion of this requirement. Submitting a letter explaining prior teaching or practice experience and how it meets the requirement would fulfill proof of teaching or practice experience within the CE audit process.

Out of State applicants may fulfill this requirement in three ways. *First* an applicant can submit an official transcript that includes a 15-hour course or a combination of courses that equals at least 15 hours. *Second*, an applicant can complete 15 hours of training or coursework and submit a certificate of completion with their application for licensure. *Third*, an applicant can submit a letter with their application for licensure explaining prior teaching or practice experience and how it meets this requirement.

BBS Fiscal Year Statistics

The BBS is one of 27 boards, committees, and commissions within the California Department of Consumer Affairs. The BBS summarized its activities for the 2001 - 2002 fiscal year and presented this information to the Department for inclusion in its annual report to the legislature. A summary of the statistics are provided below.

2001 - 2002 Fiscal Year Summary Statistics

Item	Number
<i>Licensing Activity</i>	
Applications Received	5,811
Licenses / Registrations Issued	5,016
Licenses / Registrations Renewed	31,577
Total Active Licenses / Registrations	56,406
Total Inactive Licenses / Registrations	15,649
CE Providers	1,878
CE Audits Conducted	645
Approved / Accredited Schools	87
<i>Examination Activity</i>	
Exams Scheduled	6,154
<i>Enforcement Program Activity</i>	
Complaints Received	888
Complaints Closed	892
Complaints Pending	149
Accusations Filed	27
Statement of Issues Filed	7
Citations Issued	30
<i>Administrative Outcomes</i>	
Revocation	14
Surrender of License	6
Probation with Suspension	2
Suspension Only	2
Probation Only	13

BBS Services Phone Directory

Board Office

(916) 445-4933

The phone numbers for each of the service areas list below are the same as the main number, however the extensions are different.

<u>General</u>	<u>Extension No.</u>
Address or Name Changes	1113
Certifications & Deferments	1025
CE, CE Providers, MFT Referral Services	1008
License Status / Verification	1009
Renewals	1322
Request Applications, Forms, Laws & Regulations	1800
<u>Examination Program</u>	
Initial Licenses	1113
Oral Examination Appeals	1009
Oral Examiner Training	1234
Special Accommodations	1242
Subject Matter Experts (SME), workshops	1242
<u>Licensing Program</u>	
ASW Evaluator	1030
LCSW Evaluator	1005
LEP Evaluator	1025
MFT Intern Evaluator	1121
MFT Evaluator (A-K)	1122
MFT Evaluator (L-Z)	1124
<u>Enforcement Program</u>	
Complaint Form & Information	1241
Disciplinary Hot Sheets	1015
Probation Monitor	1014
BBS Website	http://www.bbs.ca.gov
BBS WebMaster email	BBSWebMaster@bbs.ca.gov

BBS Licensee / Registrant Statistics*

Licensed Clinical Social Workers	15,117
Licensed Educational Psychologists	1,650
Marriage and Family Therapists	25,761
Associate Clinical Social Workers	5,654
MFT Interns	8,649
Continuing Education Providers	1,926
MFT Referral Services	22

* This reflects the number of valid licensees and registrants with the Board as of September 1, 2002

Notice to Licensees Regarding Psychotherapy on the Internet

In 1996 California passed legislation (SB 1665, Ch. 864) regarding out of state practitioners, consultations, professional education, and telemedicine. In 1997 language was added, to require the health care practitioner, prior to delivery of service, to obtain verbal and written informed consent and delineated the procedures. This law also defined "health care practitioner" as having the same meaning as "licentiate" as defined in Business and Professions (B&P) Code Section 805. This definition did not include marriage and family therapists or clinical social workers at the time of passage in 1996.

In 1999 language was added to B&P Code Section 805, (AB 352, ch. 252), that broadened the definition of "licentiate" adding marriage and family therapists and clinical social workers. The determination has been made that, even though this law is contained in the Medical Practices Act, the Board of Behavioral Sciences should treat B&P Code Section 2290.5 as part of our law.

The Board will seek to clarify this issue, by statute, in the upcoming legislative year. Included below is B&P Code Section 2290.5.

Business and Professions Code Section 2290.5 - Telemedicine; informed consent procedures; written consent statement; compliance; application of section:

(a) (1) For the purposes of this section, "telemedicine" means the practice of health care delivery, diagnosis, consultation, treatment, transfer of medical data, and education using interactive audio, video, or data communications. Neither a telephone conversation nor an electronic mail message between a health care practitioner and patient constitutes "telemedicine" for purposes of this section.

(2) For purposes of this section, "interactive" means an audio, video, or data communication involving a real time (synchronous) or near real time

(asynchronous) two-way transfer of medical data and information.

(b) For the purposes of this section, "health care practitioner" has the same meaning as "licentiate" as defined in paragraph (2) of subdivision (a) of Section 805.

(c) Prior to the delivery of health care via telemedicine, the health care practitioner who has ultimate authority over the care or primary diagnosis of the patient shall obtain verbal and written informed consent from the patient or the patient's legal representative. The informed consent procedure shall ensure that at least all of the following information is given to the patient or the patient's legal representative verbally and in writing:



(1) The patient or the patient's legal representative retains the option to withhold or withdraw consent at any time without affecting the right to future care or treatment nor risking the loss or withdrawal of any program benefits to which the patient or the patient's legal representative would otherwise be entitled.

(2) A description of the potential risks, consequences, and benefits of telemedicine.

(3) All existing confidentiality protections apply.

(4) All existing laws regarding patient access to medical information and copies of medical records apply.

(5) Dissemination of any patient identifiable images or information from the telemedicine interaction to researchers or other entities shall not occur without the consent of the patient.

(d) A patient or the patient's legal representative shall sign a written statement prior to the delivery of health care via telemedicine, indicating that the patient or the patient's legal representative understands the written information provided pursuant to subdivision (a), and that this information has been discussed with the health care practitioner, or his or her designee.

(e) The written consent statement signed by the patient or the patient's legal representative shall become part of the patient's medical record.

(f) The failure of a health care practitioner to comply with this section shall constitute unprofessional conduct. Section 2314 shall not apply to this section.

(g) All existing laws regarding surrogate decisionmaking shall apply. For purposes of this section, "surrogate decisionmaking" means any decision made in the practice of medicine by a parent or legal representative for a minor or an incapacitated or incompetent individual.

(h) Except as provided in paragraph (3) of subdivision (c), this section shall not apply when the patient is not directly involved in the telemedicine interaction, for example when one health care practitioner consults with another health care practitioner.

(i) This section shall not apply in an emergency situation in which a patient is unable to give informed consent and the representative of that patient is not available in a timely manner.

(j) This section shall not apply to a patient under the jurisdiction of the Department of Corrections or any other correctional facility.

(k) This section shall not be construed to alter the scope of practice of any health care provider or authorize the delivery of health care services in a setting, or in a manner, not otherwise authorized by law.

DISCIPLINARY ACTIONS (4/1/02 - 9/20/02)

The status of the following disciplinary actions were updated as of 10/1/02. These decisions are subject to judicial review. For current information, please contact the Board office directly.

BROWNE, JILL MARIE
MFC 3058, Capistrano Beach, CA

Charges: Unprofessional conduct; conviction of a crime.
License revoked, revocation stayed, five years' probation.
Terms and conditions include psychological evaluation;
supervised practice; psychotherapy; remedial education; abstain
from the use of controlled substances and alcohol; biological
fluid testing; cost recovery of \$1,372.00. Eff. 6/24/02.

CALDERON, GONZALO H.
IMF 34293, Red Bluff, CA

Charges: Unprofessional conduct; conviction of a crime; gross
negligence or incompetence; intentionally or recklessly causing
physical or emotional harm to any client; sexual misconduct.
Registration revoked. Eff. 5/13/02.

CORNISH, GEOFFREY LEONARD
LCS 10354, Del Mar, CA

Charges: Unprofessional conduct; conviction of a crime;
intentionally or recklessly causing physical or emotional harm
to any client; sexual misconduct. License revoked.
Eff. 6/24/02.

ELDREDGE, ALLEN EDWARD
MFC 34723, Pasadena, CA

Charges: Unprofessional conduct; conviction of a substantially
related crime; sexual misconduct. License revoked.
Eff. 8/7/02.

JANSSEN, JANELLE RUTH
IMF 35925, San Diego, CA

Charges: Unprofessional conduct; conviction of a substantially
related crime; commission of dishonest, corrupt, or fraudulent
act. Registration voluntarily surrendered. Should respondent
ever apply for any further or future registration or license, cost
recovery of \$952.00 shall be paid prior to the issuance of a new
registration or license. Eff. 9/20/02.

LAWRENCE, DONALD WILLIAM
LCS 11633, Santa Cruz, CA

Charges: Unprofessional conduct; gross negligence;
recklessly cause emotional harm to client. License
revoked. Eff. 5/13/02.



LYONS, CATHERINE RUTH; aka WHEELER,
CATHERINE RUTH; aka SWINSON, CATHERINE
MFC 12423, Corona, CA

Charges: Unprofessional conduct; gross negligence or
incompetence; failure to maintain confidentiality. License
revoked, revocation stayed, four years' probation. Terms
and conditions include supervised practice; remedial
education; cost recovery of \$10,000.00. Eff. 6/24/02.

MEYER, KELLY ANN
MFC 28604, Santa Barbara, CA

Charges: Unprofessional conduct; sexual misconduct.
License revoked. Eff. 6/24/02.

PONDER, JULIE LYNN
MFC 36166, Buffalo Creek, CO

Charges: Unprofessional conduct; conviction of a crime;
gross negligence; violate provisions of chapter; recklessly
causing physical harm to client. License revoked.
Eff. 5/13/02.

POST, JOHN WALLACE aka POST, JOHN "ROCKY"
IMF 32927, Lomita, CA

Charges: Unprofessional conduct; commission of dishonest,
corrupt, or fraudulent act. Registration voluntarily surrendered.
Respondent shall not be eligible to reapply to the Board for
registration as a Marriage and Family Therapist Intern or apply
for any other registration or license issued by the Board, or by the
Board of Psychology, for two years from the effective date of the
Disciplinary Order. Respondent to pay cost recovery of
\$3,700.00 prior to issuance of a new registration or license.
Eff. 9/20/02.

ROMERO-ROMERO, H. RAUL
MFC 13520, San Diego, CA

Charges: Unprofessional conduct; gross negligence or
incompetence; intentionally or recklessly causing emotional harm
to client; commission of dishonest, corrupt, or fraudulent act;
sexual misconduct. License voluntarily surrendered. Respondent
shall not file any application with the Board for a period of at
least five years' from the effective date of the Decision and Order.
Cost recovery of \$2,800.00, to be paid prior to the issuance of a
new license. Eff. 9/20/02.

SMITH, DONALD KENNETH
MFC 13577, LEP 738, Orange, CA

Charges: Disciplinary action imposed by another governmental agency. License revoked, revocation stayed. Respondent is placed on probation concurrent with that discipline ordered by the California Board of Psychology in Case No. W162, which probation may terminate on November 14, 2006. Terms and conditions included compliance with Board of Psychology disciplinary order. Eff. 6/24/02.

VIEYRA, LUZ MARINA;
aka VIEYRA-VALADEZ, LUZ MARINA
IMF 40855, Montclair, CA

Charges: Unprofessional conduct; conviction of a crime; administering to herself any controlled substance or using any dangerous drug or alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to herself or any other person; commission of any dishonest, corrupt, or fraudulent act. Registration issued and automatically revoked, revocation stayed, five years' probation. Terms and conditions include psychological evaluation; supervised practice; psychotherapy; remedial education; abstain from the use of controlled substances and alcohol; submit to biological fluid testing and samples. Eff. 4/22/02.

WELDON, ELAINE JOYCE
LCS 6632, Santa Barbara, CA

Charges: Unprofessional conduct; conviction of a substantially related crime; administering to herself any alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to herself or any other person. License voluntarily surrendered. Eff. 9/20/02.

YERUSHALMI, RIVKA aka KOZATCH, BETH MICHELLE
LCS 15039, San Jose, CA

Charges: Unprofessional conduct; violating provisions of chapter; commission of dishonest, corrupt, or fraudulent act. License revoked, revocation stayed, two years' probation. Terms and conditions include cost recovery of \$2,000.00. Eff. 8/29/02.

YOUNG, THOMAS C.
MFC 22678, Nevada City, NV

Charges: Referred clients to and consulted with an unlicensed person. Public reprimand. Eff. 7/8/02.

DENIAL OF REGISTRATION:

HOOPER, HOSSON D.
MFT Intern Applicant, Sacramento, CA

Charges: Conviction of a crime. Application denied. Eff. 5/13/02.

DENIAL OF LICENSE:

POST, JOHN WALLACE aka POST, JOHN "ROCKY"
MFT Applicant, Lomita, CA

Charges: Unprofessional conduct; misrepresentation; commission of dishonest, corrupt, or fraudulent act. Application denied. Respondent shall not be eligible to reapply to the Board for licensure as a Marriage and Family Therapist or any other registration of license issued by the Board, or by the Board of Psychology, for two years from the effective date of the Disciplinary Order. Eff. 9/20/02.

Disciplinary Terminology

Charges: The violations that the respondent has allegedly committed which are in the accusation.

Respondent: The licensee or registrant who is the subject of the disciplinary action.

Revocation: License or registration is canceled and the right to practice ended.

Suspension: Respondent prohibited from practicing for a specific period of time.

Stayed: Revocation or suspension postponed and respondent put on probation.

Probation: Respondent may continue to practice under specific terms and conditions.

Voluntary Surrender: Respondent turns in the license or registration while charges are still pending - right to practice is ended.

Effective Decision Date: Date the disciplinary decision goes into operation.

Public Reprimand: Respondent issued a letter of reprimand resulting from a disciplinary action or pursuant to B&P Code section 495.

Writ of Mandate: Respondent appealed decision to the superior court.

Stay: The Board or superior court ordered the Board's decision to not be enforced pending further action.

BBS CHANGE OF ADDRESS REQUEST FORM

Please type or print clearly in ink. Be sure to provide all information. Allow 30 days for processing.

LICENSE OR REGISTRATION NUMBER(S) (indicate **all** BBS licenses and/or registrations and their types to which this change applies):

NAME (as it appears on your license or registration):

SSN or FEIN (not required of PCEs):

FORMER ADDRESS:
CITY / STATE / ZIP:
TELEPHONE:

NEW ADDRESS:
CITY / STATE / ZIP:
TELEPHONE:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

ORIGINAL SIGNATURE:

DATE:

- ☐ I would like to order a replacement wall license or registration certificate that will reflect my new address - **\$20.00 FEE.**
(Include the fee and your old license or registration certificate with this Change of Address Request Form. Requests for a replacement certificate received without the fee or certificate cannot be processed; however, your address will still be updated.)

Please note that your address of record with the Board (the address displayed on your license, registration or application) is public information and is released to the public upon request and will be placed on the Board's website.

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